REMARKS

Overview

The Examiner responded in the prior Office Action as follows: rejected claims 1-45 under 35 U.S.C. § 103(a) as being unpatentable over Robertson, U.S. Patent No. 6,609,106 (hereinafter Robertson).

Applicant hereby amends claim 1 in order to clarify its subject matter, and further hereby adds claims 75-111. Thus, claims 1-45 and 75-111 are now pending.

Analysis

The Examiner has rejected each of the previously pending claims 1-45 under 35 U.S.C. § 103(a) as being unpatentable over Robertson. However, each of the pending claims as rejected includes features and provides functionality not disclosed by Robertson, and thus each of the pending claims as rejected is allowable.

In particular, the pending claims are generally directed towards assisting a user in purchasing or ordering a group of multiple items that were previously defined by a user to be used together, such as to treat the multiple items of a user-defined group as a single item to be ordered. For example, independent method claim 1 as amended recites "for each of a plurality of gift clusters and in response to instructions from the user, defining the gift cluster to have multiple related items to be ordered together as a single group", "after the defining of the plurality of gift clusters, displaying to the user information identifying the stored user-defined gift clusters and the categories associated with each of the gift clusters, the displayed information including information for each of the user-defined gift clusters that includes a single price for ordering the plurality of items of that user-defined gift cluster together as a single group and that includes information regarding delivery of the plurality of items of that user-defined gift cluster together as a single group", and "after selection by the user of a displayed indication of one of the identified gift clusters and an indication of a recipient, sending to a server computer a request to order for the recipient all of the items included in the indicated gift cluster together as a single group in accordance with the displayed information for that gift cluster, so that the user can send multiple related items to a recipient with a single selection." Similarly, claim 9 as previously

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rejected recites the use of "multiple items previously defined by a user to be a group" and an indicated action "to order the user-defined group of multiple items" such that performance of that indicated action results in "sending to a server computer a request to order the user-defined group of multiple items." Independent computer-readable medium, system and transmitted data signal claims 39, 42, 44 and 45 each recite similar language.

In contrast, Robertson is unrelated to any use of groups of multiple items previously defined by users for use together, let alone to ordering a user-defined group of multiple items together as a single item. Instead, Robertson is merely directed to an online gift registry service in which a first user may specify items that can be individually selected by other users for purchase, as described in the Background section of the pending application. While the Examiner has admitted that Robertson does not disclose anything about gift clusters (see prior Office Action at page 3, line 7), the Examiner appears to then proceed by completely ignoring the recited claim language regarding creating and using a group of multiple items previously defined by a user for use together, as the Office Action goes on to state that the term "gift cluster" merely indicates different subcategories of a wish list that allow a user to quickly indicate a preferred gift for ordering (see prior Office Action at page 3, lines 8-11). While Applicant does not fully understand the Examiner's stated interpretation of the term "gift cluster", this interpretation appears to incorrectly omit any aspects of groups of multiple items defined by users for use together. In addition, while unclear, the Examiner appears to incorrectly assert that a user's selection of a preexisting category of items (*e.g.*, televisions) is equivalent to defining a category, and that ordering one of the items from that category would in some manner be equivalent to defining a group of related items (see prior Office Action at page 7 line 16 through page 8 line 4).

Despite the Examiner's assertions, sorting items into preexisting product categories does not teach or suggest that a user defines a group or cluster of multiple items such that all of those multiple items can be ordered together as a single item. For example, if one were to sort the items in a gift registry so as to display multiple televisions that had been individually included in the gift registry, such a display would not reflect that the multiple televisions were intended by the creator of the gift registry to be ordered together at once as if the multiple televisions were a single item, nor that the gift registry would permit the multiple televisions to be treated as a single item. Similarly, if a bride and groom registering for a wedding were to classify all items

in their gift registry as being for the groom or for the bride, a display of all the items classified for the bride or groom would again not reflect a group of multiple items that are all intended to be ordered together at once as if the multiple items for a classification were a single item. Thus, classifying items into organizational categories does not disclose, teach or suggest grouping multiple items together by a user for use together as a single item, and the Examiner has failed to provide any suggestion or motivation for how such deficiencies of Robertson could be addressed. Accordingly, since Robertson does not disclose, teach or suggest all of the elements of the pending claims, these claims are allowable over Robertson.

The pending dependent claims 2-8, 10-38, 40-41, 43 and 75-111 include the features of those claims from which they depend, and are therefore allowable for at least the same reasons as those claims. Moreover, the pending dependent claims also recite additional features lacking in Robertson, and are thus allowable on the basis of those features as well. For example, dependent claims 27-34 generally recite providing information about previously defined groups of multiple items in response to searches performed by a user, with claim 29 further reciting that a "search criteria relates to popularity of the user-defined group among other users." As Robertson does not describe the use of previously defined groups of multiple items for any purpose, it clearly does not teach or suggest searching amongst such user-defined groups for any reason, let alone based on the popularity of the user-defined groups, and thus these claims are further patentable over Robertson for at least these additional reasons. Similarly, other dependent claims generally recite various other features as follows: claims 84-87 generally recite displaying various types of information about a previously defined group of multiple items in a manner as if the group is a single item, such as a single price for the ordering of the group of multiple items together or a delivery date for delivery of the group of multiple items together, as does independent claim 1; claims 88-91 generally recite compensating a user who defines a group of multiple items, such as based on use of the defined group by other users; claims 92-103 generally recite displaying information about a group of multiple items defined by a first user to a second user to assist the second user in determining whether the group is appropriate for use, such as to indicate one or more occasions for which the user-defined group is appropriate, to indicate one or more occasions for which the user-defined group is appropriate, to indicate one or more types of users for which the user-defined group is appropriate based on indicated demographic information and/or user interests, and to indicate user-defined groups whose expiration dates have not
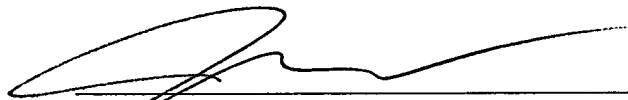
occurred; and claims 107-111 generally recite assisting a user by automatically identifying a user-defined group of multiple items as being appropriate for use by the user. Robertson similarly does not teach or suggest any of these additional features, and thus each of these claims is further patentable over Robertson for at least these reasons. Moreover, various of the other pending dependent claims similarly recite additional patentable features, although these additional features are not enumerated here for the sake of brevity.

Conclusion

In light of the above remarks, Applicant respectfully submits that all of the pending claims are allowable, and requests that the Examiner reconsider this application and timely allow all pending claims. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 694-4815.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,
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